

**Report of the Economic Development and Zoning (EDZ) Committee of
the Advisory Neighborhood Commission (ANC) 6A
May 18, 2016**

Present:

Members: Brad Greenfield, Missy Boyette, Stephanie Zimny, Justin Thornton, Michael Hoenig, Matt Turkstra.

Commissioners: Phil Toomajian, Mike Soderman, Sondra Phillips-Gilbert.
Brad Greenfield chaired the meeting.

Community Comment

None.

Status Reports

Chairman Greenfield reported that the ANC approved all recommendations from the last meeting.

Old Business

1300 H Street NE (BZA 19026): The Applicant presented an update on the project, stating that the project will now be work force housing. The Developer will seek a 9% tax credit in May 2016 as this is necessary in order to provide the work force housing at this site.

The Applicant stated that they would be submitting paperwork at the end of May 2016 and that this change would also provide the ability to have families live on H Street NE. A Community member asked what this would entail and the Developer's representative stated that this would provide six (6) three bedroom units and a host of two (2) bedroom units.

The Community had some concerns about parking and site contamination. As this project was previously reviewed, the parking concern was quickly addressed and the Applicant explained that the site is, in fact, contaminated and that the Developer will provide a thick vapor barrier at grade and install sub-slab piping to pull contaminated gases out and away from the building. The Applicant is working closely with the District Government to provide the best site contamination containment available in addition to not digging out the entire site. Brad Greenfield reported that the full ANC had already been presented with the proposed change and voted to support, pending the approval of the EDZ.

Mr. Greenfield made a motion that the EDZ recommend that the ANC send a letter of support to the Bureau of Zoning Adjustment (BZA) for the requested transition of the project to workforce housing. Motion was seconded by Michael Hoenig. Motion was approved 6:0.

New Business

1121 G Street NE (BZA 19300): Application, pursuant to 11 DCMR § 3104.1, for a special exception from the use requirements under § 336, to convert a two (2) story, one (1) family dwelling into a three-(3) unit apartment house in the R-4 District. The Applicant team, consisting of Martin Sullivan, Justin Sprinzer (Developer), and Bob Chambers (General Contractor), presented the project.

The project proposes a three (3) story plus penthouse structure on top of an existing two (2)-story masonry structure, to provide a third (3rd) unit with a rear addition that would be at sixty percent (60%) lot occupancy. The Applicant mentioned that they would be seeking a

zoning letter to confirm conversion and will not raze the existing structure. The applicant did provide a few neighbor letters. It appears the developer has done some community outreach and is also under contract to purchase 1119 G Street NE.

Mr. Greenfield asked about private trash pick-up in the rear of the property. Although, most of the trash on the block is picked up out front, the Committee was concerned about adding additional trashcans (super-sized cans) to the sidewalk as most neighbors leave the cans out front throughout the week.

Regarding the building design, a Committee member asked about retaining the porch of the existing building. This led to the Community asking questions about the total project, including 1119 G Street, and if the porch could continue through to both projects to allow it to fit in with the neighborhood. The Committee and neighbors were open to supporting any additional relief necessary (e.g., lot occupancy) that would be necessary for the porch addition at the front façade. Additionally, the Community asked not to have two different colors on the façade in an effort to deal with the scale of the project.

Mr. Greenfield made a motion to recommend that the ANC write a letter to the BZA in support of the requested special exceptions with the following restrictions: 1. Provide language within the condominium by-laws that requires private trash management at the rear of the property; 2. Make best efforts to replicate the porch cover at existing structure; and 3. Extend the porch to match at new structure. The motion was seconded by Mr. Hoenig and approved 6:0.

11 Fifteenth (15th) Street NE (BZA 19307): Application of Lock7 Development, LLC, pursuant to 11 DCMR § 3103.2, for a variance from the off-street parking requirements under § 2101.1, to renovate and expand an existing apartment house in the C-2-A District. The applicant team, presented the project.

The project proposes a five (5)-story plus penthouse structure on top of an existing one (1)-story masonry structure, to provide eight (8) dwelling units above ground floor retail. Most of the development is being done “by rights” with the only relief being sought for parking relief.

The layout of the space makes the addition of parking spots impossible, since there is a dog-leg in the alley at the rear of the building that makes the addition of parking spots impossible. Mr. Greenfield asked about the inclusion of Residential Parking Permit (RPP) restrictions as a way to mitigate the parking impact to the neighborhood. The Developer suggested that since two (2) additional spaces would be required by regulation, it would only be necessary for two (2) of the units to have RPP restrictions placed upon them. Mr. Greenfield asked which two units would get the RPP restriction, and Ms. Meredith Muldenhauer reported that the Developer could select the two units that would receive the restriction. The Committee indicated that this would be acceptable.

During the community comment discussion, the neighbor to the north of the building voiced concern about the bay projections in the public space blocking sunlight. The Applicant noted that the projections are not large and that they decided not to provide the projections at the street level in an effort not to block any potential sunlight at neighbors’ first (1st) level. There were some concerns expressed by neighbors that the additional height of the building would impact them; which the Developer believed would not be the case, but they did not have a shadow study to confirm that.

Neighbors indicated they generally are okay with development and understand that this project is in the C-2-A District. They noted that bus lines and bike share are readily accessible and that the project is already providing density to the neighborhood.

The Applicant signaled there had been strong community outreach and further work to attempt to provide parking at the site through easements although these efforts failed due to competing interests of neighboring property owners. The Committee was generally supportive due to site constraints and general outreach to the neighbors.

Mr. Greenfield made a motion that the Committee recommend that the ANC write a letter to the BZA in support of the requested variance with the restriction that: 1. There be RPP restrictions placed on two of the units to be determined by the developer; 2. Traffic mitigation efforts within the building; 3. A shadow study completed showing no impact on the lighting on neighboring properties; and 4. Best attempts made to get letters of support from neighbors. Mr. Hoenig seconded the motion, and it was approved 6 - 0.

1111 H Street NE (BZA 19308): Application, pursuant to 11 DCMR §§ 3103.2, 3104.1, and 411, for variances from the rear yard requirements under § 774, the court requirements under § 776, the off-street parking requirements under § 2101.1, and the HS overlay design requirements under § 1324.4, and a special exception from the single-enclosure penthouse requirements under § 411.6, to renovate an existing structure into an apartment building containing up to eight dwelling units with ground-floor retail in the HS-R/C- 2-C District.

The Applicant team, presented the project.

The project proposes a five (5) story plus penthouse structure on top of an existing one (1)-story masonry structure, to provide eight (8) dwelling units above ground floor retail. The design had an unusual footprint necessitated by the narrow property boundary (16 feet wide). The Developer has added an open courtyard in the middle of the building, with two (2) penthouses at the north and south ends of the building. The individual units in the building are relatively small.

Because of the layout of the alley access behind the building, multiple parking spots, as required under regulations, are not viable. Hence, the developer is seeking relief from the parking spot restrictions. Mr. Greenfield noted that since the address is on H Street, they would be subject to RPP restrictions. He asked if the developer would be willing to include condominium by-law restrictions to ensure no future attempts to get RPP from residents, and the Developer indicated they would be willing to include this restriction.

Neighbors to the east of the building (a completed condo project) voiced concerns about the development impacting their use of balconies and light into their property. The building at 1115 H Street NE have balconies that go to the property line and will abut the wall at 1111 H Street NE. The Applicant noted that they are building to right for the building height, and that any development that occurred with this building would likely have the same impact on 1115 H Street NE.

The Developer has met with the condominium owners at 1115 H Street NE and has sought to seek some accommodation with them, including potentially giving them some rights to decorate the outer wall of the building at 1111 H Street NE or providing greenery. The

neighbors at 1115 H Street NE asked if the property could be set back some distance, and the applicant replied that this was not feasible because of the very small lot size.

There was some discussion about whether the courtyard could be reduced in size to decrease the southern footprint of the building. Neighbors with balconies on the south side of the 1115 H Street NE building thought that even a small reduction in the footprint size to the south might provide them some additional light.

Mr. Greenfield noted that the EDZ committee would appreciate if the Developer sought to find some accommodation with the neighbors at 1115 H Street NE. The Developer and the neighbors should make best efforts to reach accommodations. To ensure that the EDZ would request authorization to protest the relief request, even if the recommendation would be to support the relief being sought. This model would be similar to the mechanism used with the Alcoholic Beverage Licensing (ABL) committee, where they are pre-authorized to protest applications.

Mr. Greenfield made a motion to recommend that the ANC write a letter to the BZA in support of the requested special exceptions with the following restrictions: The Developer 1. Include RPP restrictions into sale documents or condominium by-laws; 2. Investigate reducing the courtyard to allow reduction of the impact of the building on neighbors with southern-facing balconies; 3. Conduct a shadow study to determine the lighting impact on other neighbors; and 4. Make best efforts to get letters of support from neighbors.

A second motion was made that the ANC pre-authorize the EDZ to protest the relief request should adequate efforts at finding accommodation not be made by the next EDZ meeting.

Both motions were seconded by Mr. Matt Turkstra. The motion passed with a vote of 6-0.

814 H Street NE: The Applicant team did not show up to the Committee meeting to present this project. We await a BZA number and further conversation.

**Next Scheduled ED&Z Committee Meeting:
Wednesday, June 15, 2016
7:00-9:00 pm
640 10th Street NE
Sherwood Recreation Center, 2nd Floor**